

IN THE UNITED STATES BANKRUPTCY COURT  
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FOR THE DISTRICT OF PUERTO RICO

IN RE

**SANDRO FUENTES GARCIA**

**CASE NO. 19-02465-ESL**

**CHAPTER 13**

**Debtor**

**OBJECTION TO CREDITOR ASUME PROOF OF CLAIM NO 5**

**TO THE HONORABLE COURT:**

COMES NOW debtor through the undersigned attorney and very respectfully states and prays as follows:

1. Debtor filed a voluntary petition under Chapter 13 case on May 2 , 2019 ( see docket #1).
2. ASUME filed a POC no 5 on June 10, 2019 in the amount of \$21, 378.37.
3. Debtor does not have any minor children, it appears that this debt is from the original child support order that dates back to October 1, 2007. More than 11 years have elapsed after the order.
4. Debtor's daughter is 26 years old, after she became of legal age she never requested the payment of this childsupport, In Puerto Rico the statue of limitations for childsupport debt recovery is 5 years after becoming of legal age .
5. Puerto Rico Civil Code Title 31 L.P.R.A 5296 states the action which prescribe in (5) years Actions to demand the fulfilment of the following obligations prescribe in five (5) years:
  - (1) For the payment of income for support.
  - (2) For the payment of rents, whether derived from rural or from town property.
  - (3) That of any other payments which should have been made annually or in shorter periods.

6. Furthermore, debtor's daughter filed a motion in state court requesting the closing of the casa in ASUME since she ha no interest in claiming this debt ( see attachment of document presented in state court)

7. For the reasons stated above debtor objects to ASUME proof of claim and request that it be disallowed entirely.

8. Pursuant to Bankruptcy Code Section 502 (b), if an objection is made then the court shall determine the amount of the allowed claim. Under Section 502 (b) provides that a claim may not be allowed to the extent that "such claim is unenforceable against the debtor and property of the debtor under any agreement or applicable law"

**WHEREFORE**, Debtors respectfully prays that this Honorable Court takes notice of the foregoing and that the Claimed filed by Creditor be disallowed entirely.

**CERTIFICATE OF SERVICE:** I CERTIFY that on this date, I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to the non CM/ECF participant, as per the master address list, by depositing true and correct copies therefore in the United States Mail to Wanda Vazquez Secretary of Justice PO BOX 9020192 San Juan PR 00902-0140, Alvaro Basabe Administrative Official of ASUME PO BOX 71316 San Juan PR 00936-8416

**30 DAYS NOTICE:** You are hereby notified that you have (30) days from the date of this notice to file and opposition to the foregoing motion and to request a hearing. If no opposition is filed within the prescribed period of time, Debtor's Motion will be deemed unopposed and may be granted without further hearing unless it is forbidden by law, against public policy or in the Courts opinion, the interest of justice requires otherwise.

**RESPECTFULLY SUBMITTED.**

Dated this June 29,2019

s/Melissa Cofán Hernández  
Melissa Cofán Hernández  
USDC 224206  
PO BOX 944  
Dorado PR 00646  
Tel: (787)640-6882  
[melissacofan@yahoo.com](mailto:melissacofan@yahoo.com)

Yo, Keysha M. Fuentes, de 26 años de edad,  casado(a),  soltero(a), número de seguro social ←, de ocupación Estudiante y vecino(a) de Cagüas bajo juramento declaro que:

1. Mi nombre y circunstancias personales son las indicadas anteriormente.
2. Soy la parte promovente, en el presente incidente de este caso.
3. Todo lo expresado en el presente documento es cierto.

En Caguas, Puerto Rico, a 24 de Abri de 2019

ABIDÁYTTI

**Firma**

Afidávit número:

Keysha M. Fuentes Alejandro

Jurado y suscrito ante mí por la parte promovente antes mencionada y cuya identidad ha sido acreditada conforme a los mecanismos de ley, mediante T.D. 1616483

En Caguas, Puerto Rico, a 29 de abril de 2019.

CARMEN ANA PEREIRA ORTIZ

Secretario(a) del Tribunal  
o Notario(a) Público(a)

~~SECRETARIA DE ESTADO DE LA PLATA~~  
POBLA ROLDÁN RODRÍGUEZ  
Soc. Auxiliar / 2011  
Secretario(a) Auxiliar



2019 APR 24 11:11:02

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Nombre: Maria Alejandra Hernandez CIVIL NÚM. EAL-2001-0537

VS

Nombre: Sandro Frenter GarciaSOBRE: Alimentos

## MOCIÓN

AL HONORABLE TRIBUNAL:

Comparece Keysha mary Frenter Hernandez por su propio derecho y  
respetuosamente digo, expreso y solicito:

1. Soy la parte  promovente  promovida en este incidente.
2. Esta moción es sobre Cierre de Caso Asume Balance o

3. Que en este momento, cuento con 26 años  
de edad, adjunto documento de certificado  
de nacimiento, existe un balance en Asume  
y no Tengo Interés Alguno en Cobrar Balance  
de esa deuda, Por lo que ~~no~~ solicito que se  
ordeñe a Asume el Cierre de Cuenta  
Con balance en 0

Solicito el desglose del certificado de nacimiento

POR TODO LO QUIL, solicito de este Honorable Tribunal que:

1. Queda Informado
2. Ordene Cierre Cuenta Asume balance 0
3. \_\_\_\_\_
4. Dicte cualquier otra providencia que proceda conforme a Derecho.

En Caguas, Puerto Rico, a 24 de AbriL de 2019.

CERTIFICO: Que le estoy enviando copia de esta moción a la otra parte, en esta misma fecha

POR CORREO REGULAR  
 POR CORREO CERTIFICADO CON ACUSE DE RECIBO  
 PERSONALMENTE  
 OTRO (EXPLIQUE): \_\_\_\_\_

Dirección de la OTRA PARTE

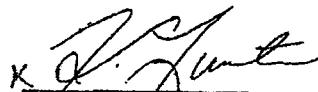
P- Calle Divina H-20 Santa Juana, PR

Bavamex 00936

Calle Divina H-20 Vida Santa Juana, PR

Bavamex 00936

TELÉFONO: (787) 532-2788



FIRMA

Dirección: X Física - Los Flamboyanes Edif. C  
apt 3-17 CaguasPostal - Los Flamboyanes  
Calle 73 San Antonio Caguas 00  
TELÉFONO: 787-373-8365

District of Puerto Rico

Old San Juan

Fri Jun 21 13:13:32 AST 2019

ASUME-MARIA ALEJANDRO HERNANDEZ  
PO BOX 71316 SAN JUAN PR 00936-8416

BANCO POPULAR P.R.  
GPO BOX 2708  
San Juan, PR 00936

BANCO POPULAR DE PUERTO RICO  
AS A SERVICING AGENT OF  
WILMINGTON SAVINGS FUNDS D/B/A CHRISTIANA  
MARTINEZ & TORRES LAW OFFICES, P.S.C.  
P.O. BOX 192938  
SAN JUAN, P.R. 00919-3409

CENTRO DE PROCESAMIENTO DE MULTAS  
PO. BOX 11889  
San Juan, PR 00922-1889

BANCO POPULAR DE PUERTO RICO  
BANKRUPTCY DEPARTMENT  
PO BOX 366818  
SAN JUAN PR 00936-6818

CLARO  
PO BOX 360998  
San Juan, PR 00936-0998

COOP RICO DAIRY  
PO BOX 363207  
San Juan, PR 00936-3207

DEPTO DE HACIENDA  
PO BOX 9024140  
San Juan, PR 00902-4140

DTOP  
PO BOX 41243  
MINILLAS STATION  
San Juan, PR 00940-1243

Departamento de Hacienda  
P.O. Box 9024140  
San Juan, PR 00902-4140

ESTELA J. MORALES PARRON  
CALLE DINUBA H-20 SANTA JUANITA  
Bayamon, PR 00956

FIRST BANK  
CONSUMER SERVICE CENTER  
BANKRUPTCY DIVISION -CODE 248  
PO BOX 9146, SAN JUAN PR 00908-0146

HOME DEPOT CREDIT SERVICES  
PO. BOX 6497  
Sioux Falls, SD 57117-6497

Burra  
Ave. Laurel #100  
Bayamon, PR 00956-4816

MARTINEZ & TORRES LAW OFFICES, P.S.C.  
PO BOX 192938  
San Juan, PR 00919-3409

(p)T MOBILE  
C O AMERICAN INFO SOURCE LP  
4515 N SANTA FE AVE  
OKLAHOMA CITY OK 73118-7901

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS CHAPTER 13 TRUSTEE  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

MELISSA WILDA COVAN HERNANDEZ  
PO BOX 944  
DORADO, PR 00646-0944

MONSITA LECANOZ ARIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

SANDRO FUENTES GARCIA  
URB SANTA JUANITA  
H-20 DINUBA ST  
BAYAMON, PR 00956-4823

T MOBILE  
PO BOX 742596  
Cincinnati, OH 45274

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

(d) DEPTO. DE HACIENDA  
PO BOX 9024140  
San Juan, PR 00902-4140

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Bypassed recipients 1  
Total 23